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PRESENT ASPECTS OF THE DREYFUS CASE.

BY JOSEPH REINACH.

I.

IN the month of April, 1894, a secret agent of the War Department brought in a letter which he had abstracted from the German embassy. This letter enumerated certain documents which its author sent or offered to Colonel von Schwarzkoppen, the Prussian military attaché. The author of this letter, which was not signed, and which was called the *bordereau*, or memorandum, could only be an officer.

When the general staff obtained possession of this letter, they decided at once that the officer who had written it must belong to the general staff. More careful examination ought to have led to the conclusion that the traitor was an officer of the line.

The general staff instituted a preliminary examination; it consisted in examining the handwriting of the officers employed in the departments and comparing it with that of the *bordereau*.

On the fifth of October, the Minister of War obtained the assistance of Commandant du Paty de Clam, an officer reputed to possess some graphological knowledge. This officer was inclined to see spies everywhere, even in his own family. He was, moreover, a violent Anti-Semite. After an examination of two days, he affirmed that the *bordereau* was in the handwriting of Captain Alfred Dreyfus, a Jewish officer.

The chief of the bureau of information was a Colonel Sandherr, who was also an Anti-Semite: he died shortly afterwards of general paralysis. Sandherr welcomed du Paty's conclusions.

On the ninth of October, M. Gobert, an expert of the Bank of France, was appointed to make an examination. He concluded that the *bordereau* was not in the handwriting of Captain Dreyfus.

This report, submitted on the morning of the thirteenth, did not suit Sandherr and du Paty. The documents were immediately sent to M. Bertillon, who was not an expert. The same evening he declared that the *bordereau* was the work of Captain Dreyfus.

In the afternoon of the thirteenth, Captain Dreyfus was invited to appear at the War Department, under pretext of a general inspection. On the fourteenth, the very next day, du Paty de Clam was appointed by the Minister of War as an officer of magisterial authority, empowered to hold a private examination. At the same time, the order was given to the superintendent of Cherche-Midi Prison to have a cell in readiness.

On the fifteenth of October, when Captain Dreyfus arrived at the War Department, du Paty dictated a letter to him, in which were enumerated the documents mentioned in the *bordereau*. Dreyfus wrote in his normal and most tranquil handwriting. However, du Paty, with wildly rolling eyes, accused Dreyfus of trembling. Then suddenly du Paty declared to him that his confusion was the proof of his crime, and had him arrested and taken to Cherche-Midi.

Du Paty de Clam then proceeded to make a minute search in the house of Mme. Dreyfus, to whom he had announced the arrest of her husband, enjoining secrecy under dire threats. This search was fruitless. Du Paty concluded that "everything that might have proved in any way compromising had been hidden or destroyed in time."

For two weeks Captain Dreyfus did not know of what he was accused. Du Paty came to see him in prison and insulted him. When Dreyfus protested his innocence, du Paty replied: "Abbé Bruneau said he was innocent, but he died on the scaffold."

Du Paty's methods were those of a Spanish inquisitor. One day, before going in to see Captain Dreyfus, he asked Commandant Forzinetti, the superintendent of the prison, whether he could not enter the cell with a lamp powerful enough to throw a beam of light in the Captain's face, so as to surprise and disconcert him. Another time, when he asked Captain Dreyfus an abrupt question, he kept his eye upon the point of the Captain's foot. Seeing it move, he concluded that this reflex action was a certain proof of guilt. He later related this experiment to the members of the Council of War, and they were led to question his sanity.

On the thirty-first of October, he submitted his report to the

Minister of War. The latter had his doubts and hesitated to act in so grave a matter on such questionable evidence. Du Paty had recommended the most absolute secrecy. To force the Minister's hand, Commandant Henry published the arrest of the Jewish officer in the *Libre Parole*. Thus an Anti-Semitic campaign was set on foot. From the mere fact that the accused officer was a Jew, Drumont at once proclaimed him guilty. General Mercier surrendered to the threat of Drumont and Rochefort.

II.

Dreyfus was condemned not only on the strength of the *bordereau*, but still more on that of secret documents illegally admitted, which had no reference to him, and which had been communicated to the judges outside of the regular channels of accusation and defence. Then the unfortunate man was degraded and deported to Devil's Island.

Colonel Sandherr, the chief of the bureau of information, having been stricken with general paralysis, was replaced by Colonel, then Commandant, Picquart. In the course of the summer of 1896 Colonel Picquart seized a telegram from Schwarzkoppen, the German military attaché, to an infantry officer, a former pontifical Zouave, whose name is Commandant Walsin-Esterhazy. This telegram proved the treason of this miscreant, who had been in the pay of the German military attaché since 1892. Commandant Henry immediately informed Esterhazy.

Having compared Esterhazy's handwriting with that of the *bordereau*, Picquart discovered that Esterhazy was the author of the document on account of which Dreyfus had been condemned. The chiefs of the general staff, after having at first received Colonel Picquart's revelations with favor, soon selfishly shrank back from the work of reparation and justice to which that officer invited them. The former colleagues of Colonel Sandherr immediately endeavored, in all possible ways, to dissipate any doubts concerning Dreyfus that might arise in the public mind. On the fourteenth of September the *Eclair* published an article which gave in detail the private examination which had been conducted by du Paty, and the (incorrect) text of the *bordereau*. It also revealed the existence, and the admission as evidence, of a secret document in which the name of Dreyfus was infamously substituted for the initial "D. . ."

Owing to the culpable weakness of the Minister of War, the general staff was able to induce him to dismiss Colonel Picquart, who had discovered Esterhazy's crime. At the same time, a counterfeit letter from the Italian military attaché to the German military attaché was sent to the Ministry. In it, Colonel Panizzardi recommended Colonel von Schwarzkoppen never to speak of their relations to the Jew Dreyfus. This letter was the production of a counterfeiter in the pay of Colonel Henry. The minister believed it to be genuine.

Colonel Picquart had no sooner left Paris, than the secret service of the War Department seized his mail. In one of the letters someone called "the demi-god" is mentioned. This meant Commandant Lallemand, who was known by this nickname in the society of the Countess de Comminges. Henry thought it referred to a chief of the "syndicate," some influential personage who co-operated with Colonel Picquart in bringing about a revision of the Dreyfus case. He immediately had another letter fabricated, which he signed with the name of "Speranza," and which ran thus: "Your sudden departure has thrown us all into confusion, the work is compromised; speak and the demi-god will act." (December 15, 1896). This letter, which was seized in the post office, was shown to the Minister as a proof of Colonel Picquart's intrigues; it was not sent to the person to whom it was addressed, who would have immediately discovered the fraud.

But du Paty and Henry were not to be relieved long from the fear of revision. In the month of October, 1897, they discovered that Scheurer-Kestner, a Republican Senator, had independently acquired proof of Captain Dreyfus' innocence, and that he was going to speak and act in behalf of the unhappy prisoner. Immediately the uneasy du Paty and Henry resumed operations. Their first care was to warn Commandant Walsin-Esterhazy, the real traitor. The latter, beside himself, rushed into the office of the German military attaché, and implored that officer to save him. "It will be enough," he said, "if you go to Mme. Dreyfus and state that her husband is guilty." The Prussian colonel answered: "Are you mad, Commandant?"

The infamous assistance which the traitor could not obtain from Colonel von Schwarzkoppen, was given him with increasing audacity by du Paty and Henry. When Esterhazy wanted to flee, du Paty and Henry detained him. Flight would mean confes-

sion, and, consequently, a revision of the Dreyfus case, a breaking down of the principal work of the general staff, a discovery of their lies and forgeries. In order to allay Esterhazy's fears, du Paty, with Henry's assistance, took out one of the secret exhibits of the Dreyfus case from the iron safe of the War Department, and handed it to the traitor, that he might use it to exonerate himself. Du Paty related to him all he knew of Colonel Picquart's investigation. Esterhazy worked it up into a tale full of odious falsehoods and slanders of all sorts, which the *Croix* newspaper refused to publish, and which he caused to appear in his friend Drumont's paper with the signature of "Dixi." In it he related that he had been warned, not, to be sure, by du Paty and Henry, but by a veiled woman.

In the next place du Paty and Henry tried both to intimidate and to compromise Colonel Picquart. On the tenth of November, when as yet Esterhazy's name had not been publicly mentioned, du Paty instructed Esterhazy and a woman, named Pays, the traitor's mistress, to send Colonel Picquart a dispatch worded as follows: "Arrest demi-god, everything is discovered, affair serious." He believed or pretended to believe that "demi-god" (Commandant Lallemand) was Scheurer-Kestner. This telegram was also signed "Speranza."

As Esterhazy and the Pays woman had incorrectly addressed the despatch, sending it to Tunis, when Colonel Picquart was elsewhere, du Paty committed another forgery the same day. He telegraphed to the Colonel: "They have proof that the *petit bleu* was fabricated by Georges." The *petit bleu* is the document which had revealed Esterhazy's treason to Colonel Georges Picquart. The forger was already trying to spread the belief that this document was forged. He had signed the despatch with the name of Blanche, which is that of the Countess de Comminges. Made-moiselle de Comminges was a friend of Colonel Picquart.

These forgeries had for their object to make the Minister of War believe that Colonel Picquart was the leader of an infernal plot. The forgers caused the *Libre Parole*, one of the newspapers devoted to them, to relate that Colonel Picquart had received in Tunis some very compromising despatches from Scheurer-Kestner. These were the ones which they themselves had sent.

Colonel Picquart thwarted this villainy by immediately denouncing these despatches to the Minister of War. The Minister

set on foot an investigation which proved fruitless, doubtless because he did not care to know the truth.

On November 15, 1897, Matthieu Dreyfus denounced Esterhazy as the author of the *bordereau* in a letter to General Villet. During the whole time of the Esterhazy trial, which followed Matthieu Dreyfus' accusation, Henry and du Paty de Clam did not cease advising and guiding the traitor in his defence. General de Pellieux, in conducting the trial, directed all his efforts against Colonel Picquart, who was guilty of having discovered the real traitor and of having denounced him to his chiefs.

At the same time the whole reactionary, clerical and Anti-Semitic, as well as an important part of the Socialist press, particularly Rochefort's *Intransigeant*, carried on a violent campaign against the courageous men who had undertaken the movement in favor of revision, and especially the scholars and men of letters, Duclaux, Grimaux, Paul Meyer, Anatole France and the "intellectuals." The *Figaro* published abominable letters which Esterhazy had addressed to Mlle. de Boulancy, in which he expresses his ardent desire to see Paris burnt and a hundred thousand Frenchmen massacred.

Minister Meline, dominated by the clerical party, likewise fought against revision in the Chamber of Deputies and in the Senate, as well as in the papers that were at his disposal.

By the advice of General de Pellieux, Esterhazy demanded a trial before a council of war. He was certain of being acquitted.

And the council of war, presided over by General de Luxer, did in fact acquit this knave.

III.

When matters had reached this point, Zola addressed to the President of the Republic an eloquent letter, in which he accused the general staff of complicity with Esterhazy. The Government prosecuted him before the Court of Assizes of the Seine.

This trial enabled the friends of truth and justice to shed some light on the mysterious sides of this horrible affair. Colonel Picquart related how he had discovered Esterhazy's crime. The monstrous illegality of condemning Dreyfus on the evidence of secret papers was likewise shown by the silence of Mercier, the former Minister of War, who did not dare to contradict the formal statement of Counsel Demange.

Notwithstanding Labori's eloquent pleading, Zola was sentenced to one year's imprisonment. But the Court of Cassation annulled this judgment on technical grounds. Some time after, Zola was again brought before the Court of Assizes of Versailles on account of his letter to Felix Faure. But, being certain that the witnesses would not be able to speak freely on the subject of the Dreyfus case, he allowed himself to be condemned by default, and exiled himself temporarily by going to England.

Persecutions were next organized by the Government, against all the defenders of justice. Colonel Picquart was driven from the army; the great scholar, Grimaux, a professor in the *Ecole Polytechnique*, was dismissed; and I was deprived of my grade as captain in the territorial army for an article in the *Sicècle*.

The revisionist journals, however, did not allow themselves to be intimidated, but continued the campaign with energy.

The general election had taken place in May. The new Chamber was as violently opposed to revision as the old one. The radical Ministry, presided over by M. Brisson, continued M. Meline's policy. Cavaignac, the Minister of War, then resolved to close the Dreyfus incident by a great speech, which he made in the Chamber of Deputies on July 7, 1898. He there not only declared Dreyfus to be guilty, as General Billot and M. Meline had done, but undertook to prove it. He based his argument, on the one hand, on the pretended confession by Dreyfus to Captain Lebrun-Renault, and, on the other hand, on a large number of documents, from which he selected three for the inspection of the Chamber. Of these three papers, two do not apply to Dreyfus. They relate to the civilian spy "D. . ." The third had been forged by Colonel Henry. By an almost unanimous vote the Chamber ordered this speech to be placarded.

In the meantime M. Bertulus, after a minute and complete investigation, had become convinced that the forgeries signed "Blanche" and "Speranza" had been committed for the purpose of injuring Colonel Picquart by Commandant Esterhazy, Madame Pays and M. du Paty de Clam, their accomplice. He consequently caused the arrest of Esterhazy and Madame Pays. M. Cavaignac immediately replied by arresting Colonel Picquart, whom he could not forgive for having answered his speech by sending a very respectful letter to the President of the Council and offering to prove before any competent tribunal that the paper read by M.

Cavaignac from the platform was a forgery. Colonel Picquart was prosecuted for having communicated to his friend, M. Leblois, secret documents concerning the Dreyfus affair—which was untrue; and—which was true—for having asked his advice on comparatively unimportant matters concerning his service.

Colonel Picquart was, therefore, taken to the Prison de la Santé, as were also Esterhazy and Madame Pays. But he was destined to stay there longer than they. The power of the Government made itself felt, as Esterhazy said, for he and his mistress were set at liberty. The Court of Appeals did not ratify the order issued by M. Bertulus for bringing Esterhazy, Madame Pays and M. du Paty de Clam before the Court of Assizes. Colonel Picquart complained against this decree before the Court of Cassation. The judges of this supreme tribunal very sharply criticised the decree of the Court of Appeals, but they had no power to set it aside. After a long private examination held by Judge Fabre, Colonel Picquart was remanded to the Correctional Court.

IV.

The revisionists seemed now to be in a rather bad plight, when a clap of thunder came out of a clear sky, and with it a flash of light fell upon the mysteries of the Dreyfus case. On August 30th, Colonel Henry confessed that he had forged the paper which Colonel Picquart had declared to be a fabrication. On the thirty-first, he committed suicide.

And so the witness who most gravely incriminated Dreyfus in the trial of 1894, the bitterest adversary of Colonel Picquart in the Zola trial, had committed a forgery in 1896 to prove Dreyfus guilty! But is that all he had done? And if he had been driven to it by necessity, must it not have been because sufficient evidence against Dreyfus did not exist, and because Colonel Picquart had been right? Public excitement increased still more, when it became known that General de Boisdeffre had offered his resignation and that it had been accepted. From that moment revision was inevitable.

Notwithstanding Henry's confession, however, M. Cavaignac remained convinced that Dreyfus was guilty. He preferred to resign from the Ministry rather than undertake the revision with his colleagues. General Zurlinden, the Governor of Paris, and a personal friend of President Felix Faure, offered his services then

to the President of the Council, that reparation might be made for the judicial error committed in 1894. At the first meeting of the Cabinet that he attended, he proposed to his colleagues measures looking toward a return of Dreyfus to France. But he soon changed his tone. He opposed revision with all his might. Rather than consent to revision, he gave up his portfolio as Minister of War, and declared in a letter to M. Brisson that he resigned because he was convinced of Dreyfus' guilt.

The revision of the trial was nevertheless imminent. Mme. Dreyfus had demanded it, and brought two new facts to the knowledge of the Keeper of the Seals: First, the disagreement between the experts of 1894 who had recognized Dreyfus' handwriting in the *bordereau*, and those of 1898 who had found it to be the (traced) handwriting of Esterhazy; and, secondly, Henry's confession, which cast suspicion on his testimony in the Dreyfus trial. After consulting with an advisory board attached to the Chancellor's office, which was equally divided, the Keeper of the Seals brought Mme. Dreyfus' demand officially before the Court of Cassation on the twenty-seventh of September. The revision was definitively pledged by M. Brisson, who acted then as a true and steadfast Republican.

To counteract this decisive step, and to weaken the effect of Henry's confession, the friends of Esterhazy made another attempt to disgrace Colonel Picquart. When the latter appeared before the Correctional Court, the substitute of the public prosecutor saw that it was necessary to wait for the Court of Cassation to clear up the Dreyfus case, before Colonel Picquart's conduct could be properly appreciated. He proposed, therefore, that Colonel Picquart's trial be adjourned *sine die*. But General Zurlinden decided immediately that Colonel Picquart must be brought before a military tribunal.

He caused Picquart's transfer from the Prison de la Santé to the Prison du Cherche-Midi. The prisoner was accused not only of offences under the law against spies, but of forgery; *i. e.*, that he had forged the *petit bleu* to ruin Esterhazy.

V.

The very day when the session of the Chambers was reopened, the Brisson Cabinet fell a victim to the vengeance of the Nationalists, who were incensed against M. Brisson for having begun

the revision. But, if it was easy to overturn a Ministry, it was far less so to stop the work of the Court of Cassation. The most violent opponents, even, had to give up the attempt. In the three public hearings of the 27th, 28th and 29th of October, the Criminal Section, presided over by M. Loew, heard the report of Counsellor Bard, the address of Public Prosecutor Manau and that of M. Moruard, Mme. Dreyfus' counsel. The court then declared that the appeal could be received, and it was decided that the court itself would proceed with the case.

However, the new Ministry, presided over by Dupuy, was also very hostile to the work of justice. Felix Faure, the President of the Republic, supported their efforts by his own. When it became certain that the Criminal Section of the Court of Cassation was going to pronounce in favor of revision, Dupuy submitted a shameful bill to withdraw the case from this section, and bring it before the three sections of the Court of Cassation. This bill passed despite the brave resistance of the Senate.

Meanwhile, Felix Faure died suddenly. Revision lost its most cruel enemy. Loubet, the new President, is in favor of it.

On the day of Felix Faure's funeral the Nationalists tried to raise a riot. They were promptly arrested.

The *Figaro* then rendered an immense service to the cause of justice. By means which will be known later, it succeeded in obtaining the proceedings of the Criminal Section of the Court of Cassation and published them. They shed floods of light on this mysterious affair. The *Figaro* thus revealed the conspiracy of the general staff in the attempt to save Esterhazy. The famous secret file was laid bare: it contained no proof of any sort against Dreyfus. Esterhazy confessed his relations with Schwarzkoppen, pretending that he was engaged in counter-espionage.

The immense majority of the Republican party had now been converted to the cause of justice, by the unremitting campaign of the friends of truth.

When these lines appear in print, revision of the Dreyfus case will have been ordered by the Court of Cassation.

JOSEPH REINACH.